

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CROSTHWAITE ET AL.,

No. C 10-03589 CRB

Plaintiffs,

**ORDER REQUIRING
SUPPLEMENTAL FILING**

v.

JAMES VENTURE CORPORATION ET
AL.,

Defendants.

Plaintiffs have moved for default judgment. See dkt. 35. Their request for relief includes \$940.10 in liquidated damages for late contributions to employee benefit plans, \$11,597.00 in attorneys' fees, \$780.00 in attorneys' fees in connection with their Motion for Default Judgment, and \$1,170 in costs. Plaintiffs have not submitted evidence to support their requests for these items. "[U]pon default the factual allegations of the complaint, except those relating to the amount of damages, will be taken as true. TeleVideo Sys., Inc. v. Heidenthal, 826 F.2d 915, 917-18 (9th Cir. 1987).

Accordingly, Plaintiffs are ordered to submit to the Court by Friday, October 28, 2011 evidence supporting their requests for the above-listed items. See Fed. R. Civ. P. 55(b)(2) ("If, in order to enable the court to enter [default] judgment . . . it is necessary to take an account or to determine the amount of damages or to establish the truth of any averment by

evidence or to make an investigation of any other matter, the court may . . . order such references as it deems necessary and proper.”).

IT IS SO ORDERED.

Dated: October 25, 2011



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE